

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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UNITED STATES OF AMERICA,

Criminal No. 08-355 (RHK/RLE)

Plaintiff,

v.

**ORDER FOR A PSYCHOLOGICAL  
EVALUATION**

JAMES RICHARD ARDITO,

Defendant.

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Based on Defendant's Motion for a psychological evaluation under 18 U.S.C. §3552(b), **IT IS ORDERED** that:

The Motion is **GRANTED**. Mr. Ardito is committed to the custody of the Attorney General for a reasonable period for a psychiatric examination of the Defendant pursuant to Title 18, United States Code, § 3552(b). This study is to be conducted in a suitable facility as close as possible to the Court.

Pursuant to 18 U.S.C. §3552(b), the Court directs that the study assess Mr. Ardito's mental, psychological and emotional condition at the time of the offense and his mental and emotional health and psychological well being at present. Attention should be paid to his emotional and psychological stability and the role that mental illness, emotional instability and chemical dependency played in his offense conduct. The Court further directs that the evaluation include a diagnosis and description of any conditions of mental illness or emotional or psychological impairment that Mr. Ardito

experienced at the time of the offense conduct and that he experiences at the present time.

Finally, the Court directs that a recommended treatment plan be prepared.

The Court further finds that the interest in having the proceedings against Mr. Ardito be informed by an understanding of his mental condition at the time of the offense conduct and at present outweighs the best interests of the public and the Defendant in a speedy trial, and that the delay that may result from this evaluation shall be excluded in computing the time within which the trial of this case must commence, pursuant to 18 U.S.C. §3161(h)(8)(A).

Dated: June 19, 2009

s/Richard H. Kyle  
RICHARD H. Kyle  
United States District Judge